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April 1, 2018

VIA EMAIL ONLY

Frank Shinneman  
70314-85801347@requests.muckrock.com

Re: Public Records Act Request dated March 7, 2019  
Our Request No. 19-MCSO-053

Dear Mr. Shinneman,

Our office represents the Marin County Sheriff's Office. The purpose of this letter is to respond to your Public Records Act request dated March 7, 2019, in which you request the following:

1. Copies of all complaints received by Marin County Sheriff's Office from January 1, 2016 through December 31, 2018, including but not limited to those from citizens, inmates and officers, whether resolved, pending, exonerated, retracted or referred to other agencies.
2. Copies of all associated documents created or reviewed in relation to the investigation and resolution of the above mentioned complaints. This includes but should not be limited to citizen correspondence, incident reports, videos and court records.

Your request, as framed, seeks records that are confidential and cannot be disclosed except by court proceedings pursuant to Evidence Code sections 1043 and 1046. Government Code Section 6254(k).

Further, to the extent the requested records contain any confidential personal or medical information that information is exempt under the California Public Records Act, individual privacy rights under the United States Constitution, individual privacy rights under the California State Constitution, or any Federal or State confidentiality or medical information privacy statute, and cannot be disclosed. (Government Code section 6254(c), incorporating United States Constitution and California Constitution.)

Finally, responsive documents pursuant to your request will also not be produced based on the following:

1. Preliminary drafts exempt from disclosure pursuant to Government Code Section 6254(a).
2. Confidential information protected by the attorney-client privilege or attorney work product doctrine. Government Code Section 6254(k) and Evidence Code Section 950 et seq.
3. Records, the disclosure of which is exempted or prohibited pursuant to federal or state law. Government Code Section 6254(k).
4. Records exempt because the public interest in withholding the records clearly outweighs the public interest in disclosure of the records. Government Code Section 6255.
5. Records exempt from disclosure as investigatory and/or intelligence information. Government Code Section 6254(f).

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Kerry L. Gerchow  
Deputy County Counsel